



# Broward County

## Legislation Text

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File #: 20-837, Version: 1

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### **Broward County Commission Regular Meeting**

**Director's Name:** Andrew J. Meyers

**Department:** County Attorney

### **Information**

#### **Requested Action**

A. MOTION TO ADOPT Resolution No. 2020-264 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 19, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

*(Transferred to the Consent Agenda.)*

**ACTION: (T-11:13 AM) Approved.**

**VOTE: 9-0. Commissioners Bogen, Fisher, Rich, Sharief and Vice-Mayor Geller voted in the affirmative telephonically.**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE LAND DEVELOPMENT CODE; AMENDING AND RENUMBERING VARIOUS SECTIONS OF CHAPTER 5, ARTICLE IX, OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); DELETING REQUIREMENTS FOR FINDINGS OF ADEQUACY; DELEGATING APPROVAL AUTHORITY TO THE COUNTY ADMINISTRATOR FOR NONVEHICULAR ACCESS LINE AMENDMENTS, BUILDING PERMITS PRIOR TO PLAT RECORDATION, AND SOME PLAT NOTE AMENDMENTS AND AMENDMENTS TO PHASING MAPS AND SCHEDULES; AMENDING REQUIREMENTS AND PROCESS FOR SITE PLAN REVIEWS; PROVIDING GENERAL UPDATING AMENDMENTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

B. MOTION TO ADOPT Resolution No. 2020-265 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 19, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider adoption of a proposed Resolution amending the Broward County Administrative Code, the title of which is as follows:

*(Transferred to the Consent Agenda.)*

**ACTION: (T-11:13 AM) Approved.**

**VOTE: 9-0. Commissioners Bogen, Fisher, Rich, Sharief and Vice-Mayor Geller voted in the**

***affirmative telephonically.***

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT; AMENDING SECTIONS 27.13 AND 27.14 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), PROVIDING THE PROCEDURE FOR AMENDMENT TO THE FUTURE LAND USE MAP FOR THE UNINCORPORATED AREA; AMENDING SECTION 27.40, PROVIDING FOR TRANSPORTATION CONCURRENCY ASSESSMENT CALCULATIONS; DELETING SECTIONS 27.41 AND 27.42, PROVIDING FOR CREDIT FOR TRANSIT ORIENTED DEVELOPMENT AND DEVELOPMENTS OF REGIONAL IMPACT; DELETING PART XV, SECTIONS 27.66 THROUGH 27.75, PROVIDING THE PROCEDURE FOR VESTED RIGHTS HEARINGS; AMENDING SECTION 27.88, PROVIDING FOR INCREASES IN IMPACT FEES RELATED TO PLAT NOTE AMENDMENTS; DELETING PART XXVI, SECTION 27.134, ESTABLISHING THE METHODOLOGY FOR DETERMINING CREDIT FOR EXISTING USES; DELETING EXHIBIT 27K, ESTABLISHING THE LEVELS OF CREDIT FOR TRANSIT CONCURRENCY ASSESSMENTS; DELETING EXHIBIT 27L, PROVIDING FOR THE DEGREE OF CREDIT AVAILABLE BASED ON LEVEL OF MITIGATION AND PROJECT LOCATION; DELETING APPENDICES A AND B, RELATED TO TRIP RATES BY LAND USE AND FEE SCHEDULE BY PEAK HOUR TRIP; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

**Why Action is Necessary**

A. The proposed Ordinance was prepared by the Office of the County Attorney at the direction of the Board of County Commissioners at its meeting of June 13, 2017.

B. The Broward County Charter requires the posting of notice and a public hearing for adoption of amendments to the Broward County Administrative Code.

**What Action Accomplishes**

A. Sets a public hearing for the Board's consideration of a proposed Ordinance amending and updating various provisions of the Land Development Code.

B. Sets a public hearing for the Board's consideration of proposed amendments to the Broward County Administrative Code ("Administrative Code") relating to the Environmental Protection and Growth Management Department, which amendments are required to ensure consistency with the proposed Ordinance.

**Is this Action Goal Related**

Yes

**Previous Action Taken**

**Summary Explanation/Background**

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT (EPGMD) AND THE PLANNING AND DEVELOPMENT MANAGEMENT DIVISION (PDMD) RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

This item supports the Board's Value of "Consistently delivering responsive, efficient, quality services to the public and internal customers" and Goal 4: "Building into every process and service effective checks and balances that do not cause inefficiency, but rather ensure consistency, continuity, and quality."

The proposed Ordinance is the result of numerous meetings, workshops, and input from interested persons and provides a comprehensive update to the Broward County Land Development Code. The amendments include the streamlining of the platting process by providing for approval by the County Administrator of certain nonvehicular access line and plat note amendments and agreements for building permits prior to plat recordation. Additionally, the proposed Ordinance incorporates the time requirements for development permits established by Chapter 2019-165, Laws of Florida (HB 7103). A detailed description of the amendments is set out in the EPGMD/PDMD Staff Report contained in Exhibit 3.

The Broward County Planning Council, as the local planning agency for the Broward County Land Use Plan, and the EPGMD, as the local planning agency for the Broward County Comprehensive Plan, held public hearings on February 27, 2020, and March 23, 2020, respectively, at which time it was recommended to the Board of County Commissioners that the proposed Ordinance was generally consistent with the Broward County Comprehensive Plan and Land Use Plan.

The proposed Resolution updates procedures regarding Land Use Plan amendments consistent with Chapter 163, Florida Statutes, and the County Charter. The proposed Resolution also amends Chapter 27 of the Administrative Code consistent with the changes contained in the proposed Ordinance, including deleting provisions that have been incorporated into the Land Development Code.

#### **Source of Additional Information**

Maite Azcoitia, Deputy County Attorney, 954-357-7600

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

The Fiscal Impact Statement by the Office of Management and Budget will be provided for the Ordinance at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.